

# INTERNATIONAL SEARCH REPORT

International application No.  
**PCT/AU2004/001341**

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> Int. Cl. <sup>7</sup> : A61K 35/74, 47/26, 47/42 According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI and Medline - IPC A61K & Keywords (probiotic, protein, carbohydrate, capsule) and like terms		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2003/026687 A1 (Nutraceutix Inc) 3 April 2003 (see page 4, lines 21-33; page 5, lines 11-26; page 8, line 14 – page 9, line 19; claims)	1-15
X	WO 2003/010299 A1 (Alimentary Health Limited) 6 February 2003 (see page 3, lines 6-23; page 7, lines 10-12; page 34, lines 10-20; claims 18-21, 23 and 31)	1-15
X	WO 2003/010297 A1 (Alimentary Health Limited) 6 February 2003 (see page 3, lines 1-18; claims 17-21 and 23)	1-15
X	US 2003/0152629 A1 (Shefer A et al) 14 August 2003 (see paragraphs [0046], [0056] – [0068]; [0080], [0100], [0106]; claims 1, 13 and 23)	1-15
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
* Special categories of cited documents: <b>"A"</b> document defining the general state of the art which is not considered to be of particular relevance <b>"E"</b> earlier application or patent but published on or after the international filing date <b>"L"</b> document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) <b>"O"</b> document referring to an oral disclosure, use, exhibition or other means <b>"P"</b> document published prior to the international filing date but later than the priority date claimed	<b>"T"</b> later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention <b>"X"</b> document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone <b>"Y"</b> document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art <b>"&amp;"</b> document member of the same patent family	
Date of the actual completion of the international search <b>28 October 2004</b>	Date of mailing of the international search report <b>12 NOV 2004</b>	
Name and mailing address of the ISA/AU <b>AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929</b>	Authorized officer  <b>STEVEN CHEW</b> Telephone No : (02) 6283 2248	

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 1999/017788 A1 (Abbott Laboratories) 15 April 1999 (see page 7, lines 5-8; page 8, lines 1-3; page 12, lines 10-31; claims 10-13)	1-15
X	EP 0904784 A1 (NV Nutricia) 31 March 1999 (see column 2, lines 30-41; column 4, lines 29-28, 40-46; column 5, lines 33-42; column 6, lines 10-22, 44-54; column 7, lines 14-22, 47-49; example 6; claims 1, 2, 4, 6, 12 and 13)	1-15
X	WO 2001/085774 A1 (Alimentary Health Limited) 15 November 2001 (see page 5, lines 10-25; claims 15-19 and 21)	1-15

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report				Patent Family Member			
WO	2003/026687	CA	2461708	EP	1429802	US	2003096002
WO	2003/010299	BR	0211438	CA	2454805	EP	1409643
		IE	20020624	US	2003113306		
WO	2003/010297	CA	2454803	EP	1409644	IE	20020626
		US	2003092163				
US	2003/152629	AU	41761/02	EP	1328184	US	6589562
		WO	0245575	WO	2004082660		
WO	1999/017788						
EP	0904784						
WO	2001/085774	AU	56610/01	IE	20010463	US	2002081311
Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.							
END OF ANNEX							